

SEC. 3. COMPENSATION FOR DAMAGE TO SEIZED PROPERTY.

(a) TORT CLAIMS ACT.—Section 2680(c) of title 28, United States Code, is amended—

(1) by striking “law-enforcement” and inserting “law enforcement”; and

(2) by inserting before the period the following: “, except that the provisions of this chapter and section 1346(b) of this title do apply to any claim based on the destruction, injury, or loss of goods, merchandise, or other property, while in the possession of any officer of customs or excise or any other law enforcement officer, if the property was seized for the purpose of forfeiture under any provision of Federal law (other than the Tariff Act of 1930 or the Internal Revenue Code of 1986) providing for the forfeiture of property other than as a sentence imposed upon conviction of a criminal offense but the interest of the claimant is not forfeited.”

(b) DEPARTMENT OF JUSTICE.—

(1) IN GENERAL.—With respect to a claim that cannot be settled under chapter 171 of title 28, United States Code, the Attorney General may settle, for not more than \$50,000 in any case, a claim for damage to, or loss of, privately owned property caused by an investigative or law enforcement officer (as defined in section 2680(h) of title 28, United States Code) who is employed by the Department of Justice acting within the scope of his or her employment.

(2) LIMITATIONS.—The Attorney General may not pay a claim under paragraph (1) that—

(A) is presented to the Attorney General more than 1 year after it occurs; or

(B) is presented by an officer or employee of the United States Government and arose within the scope of employment.

SEC. 4. PREJUDGMENT AND POSTJUDGMENT INTEREST.

Section 2465 of title 28, United States Code, is amended—

(1) by inserting “(a)” before “Upon”; and

(2) adding at the end the following:

“(b) INTEREST.—

“(1) POST-JUDGMENT.—Upon entry of judgment for the claimant in any proceeding to condemn or forfeit property seized or arrested under any provision of Federal law (other than the Tariff Act of 1930 or the Internal Revenue Code of 1986) providing for the forfeiture of property other than as a sentence imposed upon conviction of a criminal offense, the United States shall be liable for post-judgment interest as set forth in section 1961 of this title.

“(2) PRE-JUDGMENT.—The United States shall not be liable for pre-judgment interest in a proceeding under any provision of Federal law (other than the Tariff Act of 1930 or the Internal Revenue Code of 1986) providing for the forfeiture of property other than as a sentence imposed upon conviction of a criminal offense, except that in cases involving currency, other negotiable instruments, or the proceeds of an interlocutory sale, the United States shall disgorge to the claimant any funds representing—

“(A) interest actually paid to the United States from the date of seizure or arrest of the property that resulted from the investment of the property in an interest-bearing account or instrument; and

“(B) for any period during which no interest is actually paid, an imputed amount of interest that such currency, instruments, or proceeds would have earned at the rate described in section 1961.

“(3) LIMITATION ON OTHER PAYMENTS.—The United States shall not be required to disgorge the value of any intangible benefits nor make any other payments to the claimant not specifically authorized by this subsection.”.

SEC. 5. APPLICABILITY.

Unless otherwise specified in this Act, the amendments made by this Act apply with respect to claims, suits, and actions filed on or after the date of the enactment of this Act.

It was decided in the { Yeas 155
negative } Nays 268

70.15 [Roll No. 254] AYES—155

Allen	Hayes	Peterson (MN)
Andrews	Herger	Pickering
Bachus	Hill (IN)	Pomeroy
Baird	Hilleary	Porter
Ballenger	Hoeffel	Portman
Barcia	Holden	Pryce (OH)
Barrett (WI)	Holt	Quinn
Barton	Hooley	Ramstad
Bateman	Horn	Regula
Bilbray	Houghton	Reyes
Blagojevich	Hoyer	Reynolds
Blumenauer	Hulshof	Rogers
Blunt	Hutchinson	Ros-Lehtinen
Boehert	Insole	Rothman
Bonior	Isakson	Roukema
Boswell	John	Salmon
Boyd	Johnson (CT)	Sanchez
Brady (TX)	Jones (NC)	Saxton
Bryant	Jones (OH)	Shaw
Buyer	Kildee	Shays
Calvert	Kind (WI)	Sherman
Capps	Kleczka	Shows
Cardin	Knollenberg	Sisisky
Castle	Kuykendall	Slaughter
Chambliss	Larson	Smith (WA)
Coburn	Latham	Souder
Collins	Leach	Stabenow
Condit	Levin	Stearns
Cooksey	Lowe	Stupak
Cramer	Luther	Sweeney
Crowley	Maloney (CT)	Taylor (MS)
Cubin	Maloney (NY)	Terry
Deal	McCarthy (NY)	Thomas
Deutsch	McCollum	Thompson (CA)
Dickey	McCrery	Thornberry
Dixon	McDermott	Thune
Doggett	McHugh	Thurman
Dooley	McIntyre	Turner
Dunn	McNulty	Visclosky
Edwards	Mica	Vitter
Ehlers	Miller (FL)	Walden
Ehrlich	Moore	Walsh
Etheridge	Moran (KS)	Waxman
Fowler	Moran (VA)	Weiner
Frelinghuysen	Morella	Weldon (FL)
Gekas	Myrick	Weldon (PA)
Gilman	Norwood	Weygand
Gordon	Nussle	Whitfield
Goss	Ose	Wolf
Green (WI)	Oxley	Wu
Greenwood	Pallone	Young (FL)
Gutierrez	Pascrell	

NOES—268

Abercrombie	Canady	Dreier
Ackerman	Cannon	Duncan
Aderholt	Capuano	Emerson
Archer	Carson	Engel
Armey	Chabot	English
Baker	Chenoweth	Eshoo
Baldacci	Clay	Evans
Baldwin	Clayton	Everett
Barr	Clement	Ewing
Barrett (NE)	Clyburn	Farr
Bartlett	Coble	Fattah
Bass	Combest	Filner
Becerra	Conyers	Fletcher
Bentsen	Cook	Foley
Bereuter	Cox	Forbes
Berkley	Coyne	Ford
Berry	Crane	Fossella
Biggert	Cummings	Frank (MA)
Billirakis	Cunningham	Franks (NJ)
Bishop	Danner	Frost
Billey	Davis (FL)	Gallegly
Boehner	Davis (IL)	Ganske
Bonilla	Davis (VA)	Gejdenson
Bono	DeFazio	Gephardt
Borski	DeGette	Gibbons
Boucher	Delahunt	Gillmor
Brady (PA)	DeLauro	Gonzalez
Brown (FL)	DeLay	Goode
Brown (OH)	DeMint	Goodlatte
Burr	Diaz-Balart	Goodling
Burton	Dicks	Graham
Callahan	Dingell	Granger
Camp	Doolittle	Green (TX)
Campbell	Doyle	Gutknecht

Hall (OH)	McIntosh	Sanford
Hall (TX)	McKeon	Sawyer
Hansen	McKinney	Scarborough
Hastings (FL)	Meehan	Schaffer
Hastings (WA)	Meek (FL)	Schakowsky
Hayworth	Meeks (NY)	Scott
Hefley	Menendez	Sensenbrenner
Hill (MT)	Metcalfe	Serrano
Hilliard	Millender	Sessions
Hinchee	McDonald	Shadegg
Hinojosa	Miller, Gary	Sherwood
Hobson	Miller, George	Shimkus
Hoekstra	Minge	Shuster
Hostettler	Mink	Simpson
Hunter	Moakley	Skeen
Hyde	Murtha	Skelton
Istook	Nadler	Smith (MI)
Jackson (IL)	Napolitano	Smith (NJ)
Jackson-Lee	Neal	Smith (TX)
(TX)	Nethercutt	Snyder
Jefferson	Ney	Spence
Jenkins	Northup	Spratt
Johnson, E. B.	Oberstar	Stark
Johnson, Sam	Obey	Stenholm
Kanjorski	Oliver	Strickland
Kaptur	Ortiz	Stump
Kelly	Owens	Sununu
Kennedy	Pastor	Talent
Kilpatrick	Paul	Tancredo
King (NY)	Payne	Tanner
Kingston	Pease	Tauscher
Klink	Pelosi	Tauzin
Kolbe	Peterson (PA)	Taylor (NC)
Kucinich	Petri	Thompson (MS)
LaFalce	Phelps	Tiahrt
LaHood	Pickett	Tierney
Lampson	Pitts	Toomey
Lantos	Pombo	Towns
LaTourette	Price (NC)	Trafiacant
Lee	Radanovich	Udall (CO)
Lewis (CA)	Rahall	Udall (NM)
Lewis (GA)	Rangel	Upton
Lewis (KY)	Riley	Velazquez
Linder	Rivers	Vento
Lipinski	Rodriguez	Wamp
LoBiondo	Roemer	Waters
Lofgren	Rogan	Watkins
Lucas (KY)	Rohrabacher	Watt (NC)
Lucas (OK)	Roybal-Allard	Watts (OK)
Manzullo	Royce	Weller
Markey	Rush	Wexler
Martinez	Ryan (WI)	Wicker
Mascara	Ryun (KS)	Wilson
Matsui	Sabo	Woolsey
McCarthy (MO)	Sanders	Wynn
McGovern	Sandlin	Young (AK)

NOT VOTING—11

Berman	Kasich	Mollohan
Brown (CA)	Largent	Packard
Costello	Lazio	Wise
Gilchrest	McInnis	

So the amendment in the nature of a substitute was not agreed to.

The SPEAKER pro tempore, Mr. HEFLEY, assumed the Chair.

When Mr. LAHOOD, Chairman, pursuant to House Resolution 216, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Civil Asset Forfeiture Reform Act”.

SEC. 2. CREATION OF GENERAL RULES RELATING TO CIVIL FORFEITURE PROCEEDINGS.

Section 981 of title 18, United States Code, is amended—

(1) by inserting after subsection (i) the following:

“(j)(1)(A) In any nonjudicial civil forfeiture proceeding under a civil forfeiture statute, with respect to which the agency conducting a seizure of property must give written notice to interested parties, such notice shall be given as soon as practicable and in no

case more than 60 days after the later of the date of the seizure or the date the identity of the interested party is first known or discovered by the agency, except that the court may extend the period for filing a notice for good cause shown.

“(B) A person entitled to written notice in such proceeding to whom written notice is not given may on motion void the forfeiture with respect to that person's interest in the property, unless the agency shows—

“(i) good cause for the failure to give notice to that person; or

“(ii) that the person otherwise had actual notice of the seizure.

“(C) If the Government does not provide notice of a seizure of property in accordance with subparagraph (A), it shall return the property and may not take any further action to effect the forfeiture of such property.

“(2)(A) Any person claiming property seized in a nonjudicial forfeiture proceeding may file a claim with the appropriate official after the seizure.

“(B) A claim under subparagraph (A) may not be filed later than 30 days after—

“(i) the date of final publication of notice of seizure; or

“(ii) in the case of a person entitled to written notice, the date that notice is received.

“(C) The claim shall state the claimant's interest in the property.

“(D) Not later than 90 days after a claim has been filed, the Attorney General shall file a complaint for forfeiture in the appropriate court or return the property, except that a court in the district in which the complaint will be filed may extend the period for filing a complaint for good cause shown or upon agreement of the parties.

“(E) If the Government does not file a complaint for forfeiture of property in accordance with subparagraph (D), it shall return the property and may not take any further action to effect the forfeiture of such property.

“(F) Any person may bring a claim under subparagraph (A) without posting bond with respect to the property which is the subject of the claim.

“(3)(A) In any case where the Government files in the appropriate United States district court a complaint for forfeiture of property, any person claiming an interest in the seized property may file a claim asserting such person's interest in the property within 30 days of service of the Government's complaint or, where applicable, within 30 days of alternative publication notice.

“(B) A person asserting an interest in seized property in accordance with subparagraph (A) shall file an answer to the Government's complaint for forfeiture within 20 days of the filing of the claim.

“(4)(A) If the person filing a claim is financially unable to obtain representation by counsel, the court may appoint counsel to represent that person with respect to the claim.

“(B) In determining whether to appoint counsel to represent the person filing the claim, the court shall take into account such factors as—

“(i) the claimant's standing to contest the forfeiture; and

“(ii) whether the claim appears to be made in good faith or to be frivolous.

“(C) The court shall set the compensation for that representation, which shall be equivalent to that provided for court-appointed representation under section 3006A of this title, and to pay such cost there are authorized to be appropriated such sums as are necessary as an addition to the funds otherwise appropriated for the appointment of counsel under such section.

“(5) In all suits or actions brought under any civil forfeiture statute for the civil for-

feiture of any property, the burden of proof is on the United States Government to establish, by clear and convincing evidence, that the property is subject to forfeiture.

“(6)(A) An innocent owner's interest in property shall not be forfeited under any civil forfeiture statute.

“(B) With respect to a property interest in existence at the time the illegal conduct giving rise to forfeiture took place, the term ‘innocent owner’ means an owner who—

“(i) did not know of the conduct giving rise to forfeiture; or

“(ii) upon learning of the conduct giving rise to the forfeiture, did all that reasonably could be expected under the circumstances to terminate such use of the property.

“(C) With respect to a property interest acquired after the conduct giving rise to the forfeiture has taken place, the term ‘innocent owner’ means a person who, at the time that person acquired the interest in the property, was—

“(i)(I) a bona fide purchaser or seller for value (including a purchaser or seller of goods or services for value); or

“(II) a person who acquired an interest in property through probate or inheritance; and

“(ii) at the time of the purchase or acquisition reasonably without cause to believe that the property was subject to forfeiture.

“(D) Where the property subject to forfeiture is real property, and the claimant uses the property as the claimant's primary residence and is the spouse or minor child of the person who committed the offense giving rise to the forfeiture, an otherwise valid innocent owner claim shall not be denied on the ground that the claimant acquired the interest in the property—

“(i) in the case of a spouse, through dissolution of marriage or by operation of law; or

“(ii) in the case of a minor child, as an inheritance upon the death of a parent, and not through a purchase. However, the claimant must establish, in accordance with subparagraph (C), that at the time of the acquisition of the property interest, the claimant was reasonably without cause to believe that the property was subject to forfeiture.

“(7) For the purposes of paragraph (6)—

“(A) ways in which a person may show that such person did all that reasonably can be expected may include demonstrating that such person, to the extent permitted by law—

“(i) gave timely notice to an appropriate law enforcement agency of information that led the person to know the conduct giving rise to a forfeiture would occur or has occurred; and

“(ii) in a timely fashion revoked or attempted to revoke permission for those engaging in such conduct to use the property or took reasonable actions in consultation with a law enforcement agency to discourage or prevent the illegal use of the property; and

“(B) in order to do all that can reasonably be expected, a person is not required to take steps that the person reasonably believes would be likely to subject any person (other than the person whose conduct gave rise to the forfeiture) to physical danger.

“(8) As used in this subsection:

“(1) The term ‘civil forfeiture statute’ means any provision of Federal law (other than the Tariff Act of 1930 or the Internal Revenue Code of 1986) providing for the forfeiture of property other than as a sentence imposed upon conviction of a criminal offense.

“(2) The term ‘owner’ means a person with an ownership interest in the specific property sought to be forfeited, including a leasehold, lien, mortgage, recorded security device, or valid assignment of an ownership interest. Such term does not include—

“(i) a person with only a general unsecured interest in, or claim against, the property or estate of another;

“(ii) a bailee unless the bailor is identified and the bailee shows a colorable legitimate interest in the property seized; or

“(iii) a nominee who exercises no dominion or control over the property.

“(k)(1) A claimant under subsection (j) is entitled to immediate release of seized property if—

“(A) the claimant has a possessory interest in the property;

“(B) the continued possession by the United States Government pending the final disposition of forfeiture proceedings will cause substantial hardship to the claimant, such as preventing the functioning of a business, preventing an individual from working, or leaving an individual homeless; and

“(C) the claimant's likely hardship from the continued possession by the United States Government of the seized property outweighs the risk that the property will be destroyed, damaged, lost, concealed, or transferred if it is returned to the claimant during the pendency of the proceeding.

“(2) A claimant seeking release of property under this subsection must request possession of the property from the appropriate official, and the request must set forth the basis on which the requirements of paragraph (1) are met.

“(3) If within 10 days after the date of the request the property has not been released, the claimant may file a motion or complaint in any district court that would have jurisdiction of forfeiture proceedings relating to the property setting forth—

“(A) the basis on which the requirements of paragraph (1) are met; and

“(B) the steps the claimant has taken to secure release of the property from the appropriate official.

“(4) If a motion or complaint is filed under paragraph (3), the district court shall order that the property be returned to the claimant, pending completion of proceedings by the United States Government to obtain forfeiture of the property, if the claimant shows that the requirements of paragraph (1) have been met. The court may place such conditions on release of the property as it finds are appropriate to preserve the availability of the property or its equivalent for forfeiture.

“(5) The district court shall render a decision on a motion or complaint filed under paragraph (3) no later than 30 days after the date of the filing, unless such 30-day limitation is extended by consent of the parties or by the court for good cause shown.”; and

(2) by redesignating existing subsection (j) as subsection (l).

SEC. 3. COMPENSATION FOR DAMAGE TO SEIZED PROPERTY.

(a) TORT CLAIMS ACT.—Section 2680(c) of title 28, United States Code, is amended—

(1) by striking “law-enforcement” and inserting “law enforcement”; and

(2) by inserting before the period the following: “, except that the provisions of this chapter and section 1346(b) of this title do apply to any claim based on the destruction, injury, or loss of goods, merchandise, or other property, while in the possession of any officer of customs or excise or any other law enforcement officer, if the property was seized for the purpose of forfeiture under any provision of Federal law (other than the Tariff Act of 1930 or the Internal Revenue Code of 1986) providing for the forfeiture of property other than as a sentence imposed upon conviction of a criminal offense but the interest of the claimant is not forfeited”.

(b) DEPARTMENT OF JUSTICE.—

(1) IN GENERAL.—With respect to a claim that cannot be settled under chapter 171 of

title 28, United States Code, the Attorney General may settle, for not more than \$50,000 in any case, a claim for damage to, or loss of, privately owned property caused by an investigative or law enforcement officer (as defined in section 2680(h) of title 28, United States Code) who is employed by the Department of Justice acting within the scope of his or her employment.

(2) LIMITATIONS.—The Attorney General may not pay a claim under paragraph (1) that—

(A) is presented to the Attorney General more than 1 year after it occurs; or

(B) is presented by an officer or employee of the United States Government and arose within the scope of employment.

SEC. 4. PRE-JUDGMENT AND POST-JUDGMENT INTEREST.

Section 2465 of title 28, United States Code, is amended—

- (1) by inserting “(a)” before “Upon”; and
(2) adding at the end the following:

“(b) INTEREST.—

“(1) POST-JUDGMENT.—Upon entry of judgment for the claimant in any proceeding to condemn or forfeit property seized or arrested under any provision of Federal law (other than the Tariff Act of 1930 or the Internal Revenue Code of 1986) providing for the forfeiture of property other than as a sentence imposed upon conviction of a criminal offense, the United States shall be liable for post-judgment interest as set forth in section 1961 of this title.

“(2) PRE-JUDGMENT.—The United States shall not be liable for pre-judgment interest in a proceeding under any provision of Federal law (other than the Tariff Act of 1930 or the Internal Revenue Code of 1986) providing for the forfeiture of property other than as a sentence imposed upon conviction of a criminal offense, except that in cases involving currency, other negotiable instruments, or the proceeds of an interlocutory sale, the United States shall disgorge to the claimant any funds representing—

“(A) interest actually paid to the United States from the date of seizure or arrest of the property that resulted from the investment of the property in an interest-bearing account or instrument; and

“(B) for any period during which no interest is actually paid, an imputed amount of interest that such currency, instruments, or proceeds would have earned at the rate described in section 1961.

“(3) LIMITATION ON OTHER PAYMENTS.—The United States shall not be required to disgorge the value of any intangible benefits in a proceeding under any provision of Federal law (than the Tariff Act of 1930 or the Internal Revenue Code of 1986) providing for the forfeiture of property other than as a sentence imposed upon conviction of a criminal offense nor make any other payments to the claimant not specifically authorized by this subsection.”.

SEC. 5. APPLICABILITY.

(a) IN GENERAL.—Unless otherwise specified in this Act, the amendments made by this Act apply with respect to claims, suits, and actions filed on or after the date of the enactment of this Act.

(b) EXCEPTIONS.—

(1) The standard for the required burden of proof set forth in section 981 of title 18, United States Code, as amended by section 2, shall apply in cases pending on the date of the enactment of this Act.

(2) The amendment made by section 4 shall apply to any judgment entered after the date of the enactment of this Act.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. HEFLEY, announced that the yeas had it.

Mr. HYDE demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 375
affirmative { Nays 48

70.16

[Roll No. 255]

AYES—375

Abercrombie	DeLauro	Hulshof
Ackerman	DeLay	Hunter
Aderholt	DeMint	Hyde
Allen	Diaz-Balart	Inslee
Archer	Dickey	Isakson
Armey	Dicks	Istook
Baird	Dingell	Jackson (IL)
Baker	Dixon	Jackson-Lee
Baldacci	Doggett	(TX)
Baldwin	Dooley	Jefferson
Ballenger	Doolittle	Jenkins
Barcia	Doyle	Johnson, E. B.
Barr	Dreier	Johnson, Sam
Barrett (NE)	Duncan	Jones (OH)
Bartlett	Dunn	Kanjorski
Barton	Edwards	Kaptur
Bass	Ehlers	Kelly
Bateman	Ehrlich	Kennedy
Becerra	Emerson	Kildee
Bentsen	Engel	Kilpatrick
Bereuter	English	King (NY)
Berkley	Eshoo	Kingston
Berry	Etheridge	Klecza
Biggett	Evans	Klink
Bilirakis	Everett	Knollenberg
Bishop	Ewing	Kolbe
Blagojevich	Farr	Kucinich
Bliley	Fattah	Kuykendall
Blunt	Filner	LaFalce
Boehlert	Fletcher	LaHood
Boehner	Foley	Lampson
Bonilla	Forbes	Lantos
Bonior	Ford	Largent
Bono	Fossella	Larson
Borski	Fowler	LaTourette
Boucher	Frank (MA)	Leach
Brady (PA)	Franks (NJ)	Lee
Brady (TX)	Frelinghuysen	Levin
Brown (FL)	Frost	Lewis (CA)
Brown (OH)	Gallegly	Lewis (GA)
Burr	Ganske	Lewis (KY)
Burton	Gejdenson	Linder
Buyer	Gephardt	Lipinski
Callahan	Gibbons	LoBiondo
Calvert	Gillmor	Lofgren
Camp	Gonzalez	Lowey
Campbell	Goode	Lucas (KY)
Canady	Goodlatte	Lucas (OK)
Cannon	Goodling	Luther
Capps	Gordon	Maloney (NY)
Capuano	Goss	Manzullo
Cardin	Graham	Markey
Carson	Granger	Martinez
Castle	Green (TX)	Mascara
Chabot	Green (WI)	Matsui
Chenoweth	Greenwood	McCarthy (MO)
Clay	Gutierrez	McCarthy (NY)
Clayton	Gutknecht	McCollum
Clement	Hall (OH)	McDermott
Clyburn	Hall (TX)	McGovern
Coble	Hansen	McHugh
Coburn	Hastings (FL)	McIntosh
Combest	Hastings (WA)	McIntyre
Conyers	Hayworth	McKeon
Cook	Hefley	McKinney
Cooksey	Heger	McNulty
Cox	Hill (MT)	Meehan
Coyne	Hilleary	Meek (FL)
Cramer	Hilliard	Meeks (NY)
Crane	Hinchee	Menendez
Cummings	Hinojosa	Metcalf
Cunningham	Hobson	Millender-
Danner	Hoeffel	McDonald
Davis (FL)	Hoekstra	Miller (FL)
Davis (IL)	Holden	Miller, Gary
Davis (VA)	Holt	Miller, George
Deal	Hooley	Minge
DeFazio	Horn	Mink
DeGette	Hostettler	Moakley
Delahunt	Hoyer	Moran (KS)

Moran (VA)	Ros-Lehtinen	Stupak
Morella	Rothman	Sununu
Murtha	Roybal-Allard	Talent
Nadler	Royce	Tancredo
Napolitano	Rush	Tanner
Neal	Ryan (WI)	Tauscher
Nethercutt	Ryun (KS)	Tauzin
Ney	Sabo	Taylor (NC)
Northup	Salmon	Terry
Norwood	Sanchez	Thomas
Nussle	Sanders	Thompson (MS)
Oberstar	Sandlin	Thornberry
Obey	Sanford	Thune
Oliver	Sawyer	Thurman
Ortiz	Saxton	Tiahrt
Ose	Scarborough	Tierney
Owens	Schaffer	Toomey
Oxley	Schakowsky	Towns
Pallone	Scott	Trafigant
Pastor	Sensenbrenner	Udall (CO)
Paul	Serrano	Udall (NM)
Payne	Sessions	Upton
Pease	Shadegg	Velazquez
Pelosi	Shaw	Vento
Peterson (PA)	Sherman	Vitter
Petri	Sherwood	Walden
Phelps	Shimkus	Walsh
Pickett	Shuster	Wamp
Pitts	Simpson	Watkins
Pomboy	Sisisky	Watt (NC)
Porter	Skeen	Watts (OK)
Price (NC)	Skelton	Waxman
Pryce (OH)	Slaughter	Weldon (PA)
Quinn	Smith (MI)	Weller
Radanovich	Smith (NJ)	Wexler
Rahall	Smith (TX)	Weygand
Rangel	Smith (WA)	Whitfield
Regula	Snyder	Wicker
Riley	Spence	Wilson
Rivers	Spratt	Wolf
Rodriguez	Stabenow	Woolsey
Roemer	Stark	Wu
Rogan	Stearns	Wynn
Rogers	Stenholm	Young (AK)
Rohrabacher	Strickland	Young (FL)
	Stump	

NOES—48

Andrews	Hayes	Pickering
Bachus	Hill (IN)	Portman
Barrett (WI)	Houghton	Ramstad
Bilbray	Hutchinson	Reyes
Blumenauer	John	Reynolds
Boswell	Johnson (CT)	Roukema
Boyd	Jones (NC)	Shays
Bryant	Kind (WI)	Shows
Chambliss	Latham	Souder
Collins	Maloney (CT)	Sweeney
Condit	McCrery	Taylor (MS)
Crowley	Mica	Thompson (CA)
Cubin	Moore	Turner
Deutsch	Myrick	Visclosky
Gekas	Pascarell	Weiner
Gilman	Peterson (MN)	Weldon (FL)

NOT VOTING—11

Berman	Kasich	Packard
Brown (CA)	Lazio	Waters
Costello	McInnis	Wise
Gilchrest	Mollohan	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

70.17 SUBPOENA

The SPEAKER pro tempore, Mr. HEFLEY, laid before the House the following communication from Mr. Joe Williams, District Aide, office of the Honorable Terry Everett:

Washington, DC, June 18, 1999.

Hon. DENNIS J. HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a trial subpoena (for testimony) issued by the Circuit Court for Houston County, Alabama in the case of *Floyd v. Floyd*, No. DR-1998-000040.